IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 4902 of 2007(S)

PETITIONER:

HABUSABI P., D/O. M.C.CHERIYA KOYA,
PALLATH HOUSE, KALPENI ISLAND,
UNION TERRITORY OF LAKSHADWEEP.

BY ADV. SRI.ESM.KABEER

RESPONDENTS:
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1. THE ADMINISTRATOR,
UNION TERRITORY OF LAKSHADWEEP,
KAVARATHY.

2. THE DIRECTOR OF EDUCATION,
UNION TERRITORY OF LAKSHADWEEP,
KAVARATHY.

BY ADV. SRI.PR.RAMACHANDRA MENON,
SC,LAKSHADWEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1: TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 5.9.2005.

EXT.P2: TRUE COPY OF THE NOTIFICATION DATED 8.12.2005 ISSUED BY THE 2ND RESPONDENT.

EXT.P3: TRUE COPY OF THE LIST OF CANDIDATES PREPARED FOR THE WRITTEN TEST.

EXT.P4: TRUE COPY OF THE ORDER PASSED BY THE CAT IN O.A.NO.453/06.

RESPONDENTS' EXHIBITS: NIL

//true copy//

P.S. To Judge

sk/-

K.A.ABDUL GAFOOR &
ANTONY DOMINIC, JJ.

W.P.(C).No.4902 of 2007 S

Dated this the 13th day of February, 2007.

JUDGMENT

Abdul Gafoor, J.

The petitioner was an aspirant to the post of Trained Graduate Teacher (Malayalam) in the service of the Union Territory of Lakshadweep Administration. The grievance now voiced is that fixation of cut off marks at 45% in the written test conducted for the selection process to make the candidates eligible was unjustified. The tribunal did not accept this contention. This contention is re-agitated before us challenging Ext.P4 order. When selection is made for the post of Trained Graduate Teacher (Malayalam), the fixation of 45% marks in the written test cannot be said to be unjustified because the teachers are expected to impart lessons to the pupils who study under them. Only 5 candidates

became qualified. The selection process was notified to select 3 candidates. It is submitted that there shall be 15 candidates to be considered, being five times of the vacancies. The contention that the cut off marks should have been lowered to accommodate 15 candidates also cannot be heard from the mouth of the petitioner, because that will result in selecting unsuitable candidates.

Writ petition fails, dismissed.

Sd/-
(K.A.ABDUL GAFOOR)
JUDGE

Sd/-
(ANTONY DOMINIC)
JUDGE

sk/

//true copy//

K.A.ABDUL GAFOOR &
ANTONY DOMINIC, JJ.

W.P.(C).No.4902 of 2007 S

JUDGMENT

13th February, 2007.